

## **Town Board Minutes**

November 2, 2015

Meeting No. 33

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 2<sup>nd</sup> day of November 2015 at 7:00 P.M. and there were

**PRESENT:** JOHN ABRAHAM , COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
DINO FUDOLI, SUPERVISOR

**ABSENT:** RONALD RUFFINO, COUNCIL MEMBER

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
JOHN DUDZIAK, TOWN ATTORNEY  
JEFFREY SIMME, CODE ENFORCEMENT OFFICER  
GERALD GILL, CHIEF OF POLICE  
MARK LUBERA, PARK CREW CHIEF  
DANIEL AMATURA, HIGHWAY SUPERINTENDENT  
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES  
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

## **PERSONS ADDRESSING TOWN BOARD:**

**Beutler, Daniel**, spoke to the Town Board on the following matters:

- Lincoln Street bridge repairs – concerns about contractor.
- Adoption of Special District and General Budget.

**Dimino, Shawn**, spoke to the Town Board on the following matter:

- Comments regarding police budget and Police Fund tax levy.

**Hangauer, Carmen**, spoke to the Town Board on the following matter:

- Adoption of budgets.

**Nosbisch, Paul, Jr.**, spoke to the Town Board on the following matters:

- Questions about the cost to the Town to negotiate police contracts.
- The size of the Police Department and increase in crime.
- Excerpts from 2003 Police Merger Agreement.

**Sojka, Greg**, spoke to the Town Board on the following matter:

- Adoption of budgets.

**Sojka, Tyler**, spoke to the Town Board on the following matter:

- Questions regarding the adoption of Town budgets.

**PUBLIC HEARING SCHEDULED FOR 7:15 P.M.:** Amendment to Vehicle & Traffic Ordinance: Deer Cross Subdivision.

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER STEMPNIAK AND CARRIED, the public hearing was opened.

At 7:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon an amendment to Vehicle & Traffic Ordinance: Deer Cross Subdivision.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

<b>NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</b>	<b>Proponent/ Opponent/ Comments/Question</b>
Carl Anderson	Opponent
Scott Kantorski	Opponent

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER STEMPNIAK AND CARRIED, the public hearing was closed at 7:22 P.M.

November 2, 2015

**PRESENTATION OF PREFILED RESOLUTIONS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**RESOLVED,** that the minutes of the Joint Meeting of the Town Board and the Planning Board held October 19, 2015 and the Regular Meeting of the Town Board held October 19, 2015 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

November 2, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered  
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk  
by the Assistant to the Supervisor, to wit:

Claim No. 41971 to Claim No. 42084 Inclusive

Total amount hereby authorized to be paid: \$1,140,767.84

The question of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

November 2, 2015

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby reaffirmed:

**CODES:**

- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.  
(CSW) = Conditional sidewalk waiver  
(V/L) = Village of Lancaster

**NEW PERMITS:**

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
24669		Neth & Son Inc	30 Summerfield Dr	Re-Roof	
24670		Michael & Rebecca Falls Jr	7 Rose St	Er. Shed	
24671		Michael & Kim Lewandowski	42 Sussex Ln	Er. Res. Alt.	
24672		Patrick & Linda O'Brien	606 Lake Ave	Er. Res. Alt.	
24673		Stephen & Joanne Ruk Sr.	30 Cotton St	Er. Res. Alt.	(V/L)
24674		David L Moritz Jr.	163S Irwinwood Rd	Re-Roof	(V/L)
24675		Stephen Kasprzak	9 Running Brook Dr	Er. Fence	
24676		K T Schiffler LLC	94 Hinchey Ave	Re-Roof	(V/L)
24677		House Crafters LLC	65 Church St	Re-Roof	(V/L)
24678		Jesse Shadle	15 Quincy Ave	Re-Roof	(V/L)
24679		MMJ Enterprises	23 Gale Dr	Re-Roof	
24680		Aerial Roofing & Exterior, Inc	7 Windcroft Ln	Re-Roof	
24681		5123 Transit LLC	5123 Transit Rd	Er. Comm. Add./Alt.	
24682		Paul Wodzinski	27 Windcroft Ln	Er. Res. Alt.	
24683		Young Development Inc	5828 Broadway	Er. Res. Apartment	
24684		Bill Wirth Roofing & Siding	20 Stone Hedge Dr	Re-Roof	
24685		CentiMark Corporation	3765 Walden Ave	Re-Roof	(V/L)
24686		Steven & Suzanne Przybl	21 Jonquille Ct	Er. Fence	
24687		Nancy/Jean Marcussen	16 Wilma Dr	Er. Fence	(V/L)
24688		RJF Development JV	33 Middlebury Ln	Er. Dwlg.-Sin.	
24689		RJF Devolopment JV	694 Pleasant View Dr	Er. Dwlg.-Sin.	
24690		RJF Development JV	42 Middlebury Ln	Er. Dwlg.-Sin.	
24691		Rogers Construction	25 Maple Ave	Er. Garage	(V/L)
24692		CentiMark Corporation	3919 Walden Ave	Re-Roof	
24693		Richard & Pamela Boss	1169 Penora St	Er. Res. Add.	
24694		Dennis & Alma Richards	36 Nichter Rd	Er. Deck	
24695		Schuster Construction LLC	26 Lenox Ave	Re-Roof	(V/L)
24696		Pleasant Meadows Assocs LLC	9 Magrum Ln	Er. Dwlg.-Sin.	
24697		Shirley Zurbrick	98 Woodlawn Ave	Re-Roof	(V/L)
24698		Brett Begley	1 Charlton Pl	Inst. Generator	
24699		Ryan Homes - NVR Inc.	41 Pear Tree Ln	Er. Dwlg.-Sin.	
24700		Essex Homes of WNY Inc	3 Tranquility Trl	Er. Dwlg.-Sin.	
24701		Switala's Siding Cedar Inc.	15 Fox Hunt Rd	Re-Roof	
24702		Robert & Kathleen Babcock	42 Iroquois Ave	Er. Res. Alt.	(V/L)
24703		James & Denise Everett	24 Glendale Dr	Er. Fence	
24704		Northeast Mechanical Inc.	26 Running Brook Dr	Inst. Generator	
24705		X-Press Signs Inc	5380 Genesee St	Er. Sign - Wall	
24706		Marrano/Marc Equity Corp	6 Jonquille Ct	Er. Dwlg.-Sin.	
24707		S & A Debris Removal LLC	43 Central Ave	Er. Res. Alt.	(V/L)
24708		Michael I Brown	11 Rollingwood Dr	Inst. Generator	
24709		James Curran	47 Country Pl	Er. Fence	
24710		Colley's Pool Sales Inc	24 Brunck Rd	Er. Pool-In Grnd	
24711		Colley's Pool Sales Inc	24 Brunck Rd	Er. Fence	
24712		Transit French Associates	4779 Transit Rd	Er. Comm. Add./Alt.	
24713		Paul Blatner	15 Carlisle St	Inst. Generator	
24714		Patrick Pokorski	703 Pleasant View Dr	Er. Garage	
24715		Karla Priester	12 Hunters Dr	Re-Roof	
24716		Double D Contracting	190 Brunck Rd	Re-Roof	
24717		Mark & Denise Szymusiak	5671 Broadway	Er. Sign - Temp	

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

November 2, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the Town Board is considering the construction of fourteen (14) 5,000 sq. ft. clear span buildings by 933 Ransom Road, LLC., to be located at 1202 Townline Road in the Town of Lancaster, and

**WHEREAS**, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on October 19, 2015 and recommended that a Negative Declaration be issued, and

**WHEREAS**, the Town Board has duly considered the site plans for the buildings, the long Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

**WHEREAS**, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

**WHEREAS**, the proposed action has been labeled a “Type 1” action under SEQRA.

**NOW, THEREFORE,**  
**BE IT RESOLVED** by the Town Board of the Town of Lancaster that:

1. This project is described as construction of construction of fourteen (14) 5,000 sq. ft. clear span buildings by 933 Ransom Road, LLC will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

**NEGATIVE DECLARATION**  
**Determination of Non-Significance**

**Town of Lancaster Town Board**

**Dated: November 2, 2015**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed construction of construction of fourteen (14) 5,000 sq. ft. clear span buildings by 933 Ransom Road, LLC on a 26.99+/- acre parcel. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** 1202 Townline Road General Industrial Development.

**Location of Action:** 1202 Townline Road, Lancaster, New York 14086, Erie County.

**SEQR Status:** Type 1

**Description of Action:** The proposed general industrial development containing 14 clear span steel buildings, each 5,000 ± sq. ft. located at 1202 Townline Road, Lancaster, New York. The buildings will house a mix of office/warehouse space and will have 10 parking spaces for each of the buildings along with associated site infrastructure needed for the operation of the facilities.

**Reasons Supporting this Determination:** Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. **A small impact on land is noted.**
  - The project will consist of multiple phases.
2. **Impact on Geological Features – No impact.**
3. **A small impact on Surface Water is noted.**
  - The project may result in an increase greater than 10% in the surface area of a water body and construction adjoining a water body.
4. **Impact on Groundwater – No impact.**
5. **Impact on Flooding – No impact.**
6. **Impact on Air – No impact.**

7.     **Impact on Plants and Animals – No impact.**
8.     **Impact on Agricultural Resources – No impact.**
9.     **Impact on Aesthetic Resources – No impact.**
10.     **Impact on Historic and Archeological Resources – No impact.**
11.    **Impact on Open Space and Recreation – No impact.**
12.    **Impact on Critical Environmental Areas – N/A**
  - The Town of Lancaster has not established a Critical Environmental Area (CEA).
13.    **Impact on Transportation – No impact.**
14.    **Impact on Energy – No impact.**
15.    **A small impact on Noise, Odor and Light is noted.**
  - The project may result in light shining into adjoining properties.
16.    **Impact on Human Health – No impact.**
17.    **Consistency with Community Plans – No impact.**
18.    **Consistency with Community Character – No impact.**

**For Further Information:**

Contact Person:	John M. Dudziak, Town Attorney Town of Lancaster
Address:	21 Central Avenue Lancaster, New York 14086
Telephone Number:	(716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, Mark Lubera, Park Crew Chief of the Parks, Recreation and Forestry Department, by letter dated October 21, 2015, has requested an adjustment to the rate of pay for Kirstin Heffler, Lifeguard part-time permanent, due to a new assignment with supervisory responsibilities.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the rate of pay for Kirstin Heffler be adjusted from \$10.00 per hour to \$12.00 per hour, retroactive to October 12, 2015, and

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

November 2, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS,** the Town of Lancaster desires to add two (2) additional positions of Clerk, part-time, and

**WHEREAS,** the Town of Lancaster currently has nine (9) positions for Clerk, part-time, therefore upon adoption of this resolution, the number of positions will be increased to eleven (11).

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) for authorization by the County of Erie Department of Personnel to create two (2) additional positions of Clerk, part-time in the Town of Lancaster.

**BE IT FURTHER,**

**RESOLVED,** that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

November 2, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, Justin Rybacki was appointed by the Town Board by resolution dated October 19, 2015 to the position of Laborer, part-time permanent, in the Parks, Recreation and Forestry Department effective on October 20, 2015, and

**WHEREAS**, a correction is necessary to the effective date of this appointment.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that this resolution shall hereby amend the resolution dated October 19, 2015, and

**BE IT FURTHER,**

**RESOLVED**, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Parks, Recreation and Forestry Department, working not more than nineteen and three-quarter hours per week, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Justin Rybacki (rehire) Lancaster, NY	Laborer	\$12.00	November 26, 2015

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

November 2, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPTNAIK, TO WIT:

**WHEREAS, Concord Electric Corp.,** 705 Maple Street, Rochester, New York 14611, the contractor for the electrical system installation for the Highway Department's Pre-engineered Building located at 525 Pavement Road has submitted Change Order No. 1 in the amount of \$14,955.60 to the Town Board for their approval, based on additional material and work needed to change the lighting from Fluorescent Lights to LED Lights which was provided to the Town Board;

**NOW, THEREFORE, BE IT  
RESOLVED,** that the Town Board of the Town of Lancaster hereby approves Change Order No. 1 to **Concord Electric Corp.,** with respect to the outlined descriptions provided to the Town Board:

**DESCRIPTION OF CHANGE ORDER NO. 1:**

Additional compensation for material and work needed to change the lighting from Fluorescent Lights to LED Lights.

**CHANGE ORDER NO. 1:**

The original Contract Sum was .....	\$	73,700.00
The Contract Sum will be increased by this Change Order in the amount of....	\$	14,955.60
The new Contract Sum increased including this Change Order will be	\$	88,655.60

**BE IT FURTHER  
RESOLVED,** that the Supervisor be and is hereby authorized to execute this Change Order on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPTNAIK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

November 2, 2015

**PREFILED RESOLUTION NO. 9 – MEETING OF November 2, 2015**

9. Fudoli/ \_\_\_\_\_ Adopt 2016 Special Districts Budget [Budget]

This resolution failed due to a lack of second.

**PREFILED RESOLUTION NO. 10 – MEETING OF NOVEMBER 2, 2015**

10. Fudoli/ \_\_\_\_\_ Adopt 2016 Ad Valorem Budget [Budget]

This resolution failed due to a lack of second.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster provide for the adoption and enactment of local laws, and

**WHEREAS**, Local Law of the year 2015 has been proposed, entitled A Local Law Amending the Vehicle and Traffic Section of the Lancaster Town Code, which will more specifically amend Section 46-13(A).

**WHEREAS**, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required on the proposed Local Law;

**NOW, THEREFORE,**  
**BE IT RESOLVED** by the Town Board of the Town of Lancaster that:

- 1. A public hearing for the proposed Local Law is hereby set for the 16<sup>th</sup> day of November, 2015 at 7:15 o'clock P.M.
- 2. The Town Clerk is directed to provide notice of the public hearing as required by law.
- 3. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

November 2, 2015

**LEGAL NOTICE**  
**PUBLIC HEARING**  
**TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted November 2, 2015, the said Town Board will hold a Public Hearing on the 16<sup>th</sup> day of November, 2015 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly adopting a Local Law to amend the Town of Lancaster Code, Chapter 46 Vehicle and Traffic, Article X. Parking, Standing and Stopping, Section 13(A) Standing prohibited in designated locations. Copies of the proposed Local Law can be reviewed at Town Hall. At the time and place stated above, all interested members of the public shall be heard.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN**  
**Town Clerk**  
**November 5, 2015**

**Town of Lancaster**  
**Local Law No. \_\_\_\_ of 2015**

**A Local Law Amending the Vehicle and Traffic Section of the Lancaster Town Code.**

**Be it hereby enacted by the Town Board of the Town of Lancaster as follows:**

**Section 1: Section 46-13(A)** of the Town of Lancaster Town Code is amended as follows:

Chapter 46 – VEHICLE AND TRAFFIC

Article X. Parking Standing and Stopping

§46-13 – Standing prohibited in designated locations.

A. The Standing of vehicles is hereby prohibited in  
any of the following locations:

.....

**DELETE: (71), (72) and (73)**

**ADD: (15).....**

**(k)** On the north side of Country Place west  
of the Sara Lane intersection and continuing  
for 175 feet.

**(71)** In Bowmansville, on the east side of Harris Hill  
Road from the intersection of Harris Hill and  
Genesee Street north to Old Genesee.

**(72)** In Bowmansville, on the west side of Harris Hill  
Road from the intersection of Harris Hill and  
Genesee Street north to Anna Drive.

**Section 2: Severability.** Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

**Section 3: Effective Date.** This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated October 28, 2015, has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Parks, Recreation and Forestry Department, working not more than nineteen and three-quarter hours per week, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Julius McCann (new hire) Lancaster, NY	Laborer	\$12.00	November 23, 2015

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

November 2, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, the Town Board has determined that there is a need to establish a Workplace Violence Prevention Program in order to comply with the requirements of the New York State Workplace Violence Prevention Regulation under New York State Labor Law Article 2, 27-B.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby adopts the Workplace Violence Prevention Program as presented, to be effective immediately, and which shall supersede any previous versions of such policy.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

November 2, 2015

## **COMMUNICATIONS & REPORTS**

- 682. Mayor of Depew to Supervisor –**  
Letter of support for Town of Lancaster Community Development Block Grant application for the purchase of a new handicap accessible senior citizen van.  
Disposition = Received & Filed
- 683. Supervisor to Town Attorney –**  
Request for public hearing to be scheduled and accompanying resolution regarding Silent Meadow Lane – Request for No Parking Zone.  
Disposition = For Resolution
- 684. Michael Rusinek to Supervisor and Town Board –**  
Request for action to be taken regarding a repeated careless driver.  
Disposition = Received & Filed
- 685. Police Chief to Town Clerk –**  
Articles and communications. Disposition = Received & Filed
- 686. Highway Superintendent to Town Board --**  
Request for resolution to purchase two new and unused 2016 ODB Truck Mounted Vacuum Debris Collectors from Old Dominion Brush Co., Inc., 5118 Glen Alden Drive, Richmond, VA. Disposition = For Resolution
- 687. Park Crew Chief to Supervisor and Town Board –**  
Request for resolution to adjust the rate of pay for Kirstin Heffler of the Swim Program, retroactive to October 12, 2015.  
Disposition = Resolution 11/2/15
- 688. Park Crew Chief to Supervisor and Town Board –**  
Information regarding current charges for various programs with proposed increases. Disposition = Received & Filed
- 689. Park Crew Chief to Supervisor and Town Board –**  
Request for increase in hourly rate for eight individuals who run the Town's winter basketball program. Disposition = Resolution 11/2/15
- 690. Highway Superintendent to Supervisor –**  
Request for Town Board to approve a change order for a change in lighting from fluorescent lights to LED lights for the Highway Building.  
Disposition = Resolution 11/2/15
- 691. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant,**  
Town Attorney, Town Highway Superintendent and Building & Zoning Inspector –  
Draft minutes from Planning Board meeting held on October 21, 2015.  
Disposition = Planning Committee
- 692. Park Crew Chief to Supervisor and Town Board –**  
Request for resolution appointing Jules McCann as a part-time permanent employee in the Parks, Recreation & Forestry Dept. to oversee the maintenance of the Heritage Trail. Disposition = Resolution 11/2/15

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER ABRAHAM, AND SECONDED BY COUNCIL MEMBER STEMPNIAK, AND CARRIED,** the meeting was adjourned in memory of Emily Harzewski at 7:49 P.M.

Signed \_\_\_\_\_  
Johanna M. Coleman, Town Clerk